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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**
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12 JAMES A. MOORE

13 Petitioner,

14 vs.

15 DERRICK OLLISON, Warden,

16 Respondent.

CASE NO. 07cv0141 IEG (AJB)

**ORDER (1) ADOPTING THE
MAGISTRATE JUDGE'S REPORT
and (2) DENYING THE PETITION
FOR WRIT OF HABEAS CORPUS
(Doc. 13.)**

17 On November 4, 2003, Petitioner James A. Moore, proceeding pro se and in forma pauperis,
18 filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his November 4,
19 2003 conviction for First Degree Burglary in Imperial County Superior Court case number CF-12021.
20 Petitioner asserts several grounds for relief including charges of prosecutorial misconduct, procedural
21 errors, and ineffective assistance of counsel.

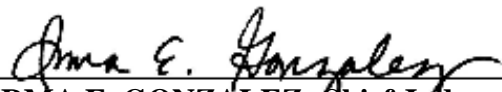
22 This matter was referred to United States Magistrate Judge Anthony J. Battaglia pursuant to
23 28 U.S.C. § 636(b)(1)(B). On February 27, 2008, Magistrate Judge Battaglia issued a Report and
24 Recommendation recommending the Court deny the petition for writ of habeas corpus in its entirety
25 because the California court's decision in petitioner's case was not contrary to nor an unreasonable
26 application of federal law. (Doc. No. 13.)

27 As of the date of this Order, the Court has received no filing or request for extension of time
28 from Petitioner.

1 Upon a review of the record and the reasons set forth in the magistrate judge's Report, the
2 Court ADOPTS the Report in its entirety, and DENIES the petition for writ of habeas corpus.

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4 **IT IS SO ORDERED.**

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6 **DATED: April 15, 2008**

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8 **IRMA E. GONZALEZ, Chief Judge**
9 **United States District Court**